## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Applicant:  | Ronald A. Schmaltz  |  |  |  |
|---|---|--|--|--|
| Title:  | VALVE FOR CONTROLLING FLUID FLOW THROUGH A TUBE AND RELATED SYSTEMS AND METHODS |  |  |  |
| Application No.:  |   |  |  |  |
| Filing Date:  | 23 March 2004   |  |  |  |
| Examiner/Unit:  |   |  |  |  |
| Attorney Docket No.:  | 1993-1-5  |  |  |  |
|   |   |  |  |  |
| CERTIF  | FICATE OF MAILING OR TRANSMISSION   |  |  |  |
| I hereby certify that this comm   | munication, and any document being attached hereto,                             |  |  |  |
| ⊠is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail addressed to: MS Patent Applications, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 |   |  |  |  |
| is being transmitted via facsimile to   |   |  |  |  |
| on this 23 <sup>rd</sup> day of March, 2004.  |   |  |  |  |

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97

## TO THE COMMISSIONER FOR PATENTS:

In compliance with the duty of disclosure under 37 CFR § 1.56, Applicant submits herewith Form PTO-1449 citing patents, publications, or other information for consideration during the examination of this application.

In accordance with 37 CFR § 1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made nor that the

information cited in the statement is or is considered to be "material" to patentability as defined in 37 CFR § 1.56(b).

- X Charge any additional fees to Deposit Account No. 07-1897
- X A return postcard as acknowledgement of receipt of Form PTO-1449.

Respectfully submitted,

**GRAYBEAL JACKSON HALEY LLP** 

John Janeway

Attorney for Applicant

Registration No. 45,796

155-108th Avenue N.E., Ste 350

Bellevue, WA 98004-5973

(425) 455-5575

23 March 2004

Ronald A. Schmaltz

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO Complete if Known Application Number Filing Date

Art Unit

First Named Inventor

## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

(use as many sheets as necessary)

|       | (acc do many sheets as necessary) |    |   |  | r Name        |            |
|-------|-----------------------------------|----|---|--|---------------|------------|
| Sheet | 1                                 | of | 3 |  | Docket Number | 1993-1-5   |
|       |                                   |    |   |  |               | 1 .000 . 0 |

|                        |                          |   | U.S. PATENT                    | DOCUMENTS  |   |
|------------------------|--------------------------|---|--------------------------------|--|---|
| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Document Number  Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Releva<br>Passages or Relevant |
|                        | 1                        | US-6,361,016 B1   | 03-26-2002                     | Schulz   | Figures Appear  |
|                        | 2                        | US- 6,213,140 B1  | 04-10-2001                     | Ploeger  |   |
|                        | 3                        | US- 355,741   | 1-11-1887                      | Reinmann   |   |
|                        | 4                        | US- 356,026   | 1-11-1887                      | Boyden   |   |
|                        | 5                        | US- 1,322,421   | 11-18-1919                     | French   |   |
|                        | 6                        | US- 2,167,952   | 8-1-1939                       | Jordan   |   |
|                        | 7                        | US- 2,841,357   | 7-1-1958                       | Little   |   |
|                        | 8                        | US- 3,044,466   | 7-17-1962                      | Henderson  |   |
|                        | 9                        | US- 3,415,299   | 12-10-1968                     | Hinman, Jr. et al                                  |   |
|                        | 10                       | US- 3,931,650   | 1-13-1976                      | Miller   |   |
|                        | 11                       | US- 4,262,876   | 4-21-1981                      | Willatt  |   |
|                        | 12                       | US- 4,624,663   | 11-25-1986                     | Danby et al.                                       |   |
|                        | 13                       | US- 4,667,778   | 5-26-1987                      | Ozaki  |   |
|                        | 14                       | US- 4,702,733   | 10-27-1987                     | Wright et al.                                      |   |
|                        | 15                       | US- 4,878,646   | 11-7-1989                      | Edelman et al.                                     |   |
|                        | 16                       | US- 5,092,856   | 4-3-1992                       | Johnston   |   |
|                        | 17                       | US- 5,265,840   | 11-30-1993                     | Gillespie et al                                    |   |
|                        | 18                       | US- 5,280,938   | 1-25-1994                      | Berry  |   |
|                        | 19                       | US- 5,397,315   | 3-14-1995                      | Schmidt et al                                      |   |
|                        | 20                       | US- 5,584,596   | 12-17-1996                     | Greene   |   |

|           |                  | FOREIGN PA  | TENT DOCU                   | MENTS   |  |            |
|-----------|------------------|---|-----------------------------|---|--|------------|
| Examiner  | Cite             | Foreign Patent Document   |                             |   | Pages, Columns, Lines,                             |            |
| Initials* | No. <sup>1</sup> | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) | Publication Date MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Where Relevant Passages or Relevant Figures Appear | <b>⊤</b> 6 |
|           | 21               | DE 19511469   | 10-17-1996                  | Neubauer et al.                                       | rigules Appeal                                     | <u> </u>   |
|           | 22               | WO 02/04849 A1  | 01-17-2002                  | Wataru Oue  |  |            |
|           | 23               | GB 646167   | 11-15-1950                  | Marshall et al.                                       |  |            |
|           |                  |   |                             |   |  |            |
|           |                  |   |                             |   |  |            |
|           |                  |   |                             |   |  |            |
|           |                  |   |                             |   |  |            |
|           |                  |   |                             |   |  |            |

| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|
| *EXAMINER: Initi      | al if reference considered whether as not situation: |                    |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 16 if possible, 6 Applicant is to

place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

PTO/SB/08b(05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, n

| Substitute for form 1449A/PTO                 |                |          |            |                        | Complete if Known  |             |
|---|----------------|----------|------------|------------------------|--------------------|-------------|
| INFO  | RMATION        | אוט וי   | CLOSUDE    | Application Number     |                    |             |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT |                |          |            | Filing Date            | 23 March 2004      |             |
| SIA   | CIAICIA I      | DT AI    | PLICANI    | First Named Inventor   | Ronald A. Schmaltz | <del></del> |
|   |                |          |            | Group Art Unit         |                    |             |
|   | (use as many s | heets as | necessary) | Examiner Name          |                    |             |
| Sheet   | 2              | of       | 3          | Attorney Docket Number | 1993-1-5           |             |

| OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS |              |   |                |  |  |
|---|--------------|---|----------------|--|--|
|   |              | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS   |                |  |  |
| Examiner Initials *                             | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |  |  |
|   | 24           | International Search Report PCT/US 03/05932   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              | ·   |                |  |  |
| ,   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |
|   |              |   |                |  |  |

| Examiner  | Date                                  |  |
|-----------|---------------------------------------|--|
| Cianatura | • • • • • • • • • • • • • • • • • • • |  |
| Signature | Considered                            |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application from to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

PTO/SB/08a (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

| Substitu                          | te for form 1449A/P1 | го            |         | Service as a conscapil | of information unless it contains a valid OMB control number<br>Complete if Known |
|-----------------------------------|----------------------|---------------|---------|------------------------|---|
| INIT                              |                      |               |         | Application Number     |   |
|                                   |                      |               | CLOSURE | Filing Date            | 23 March 2004   |
| STATEMENT BY APPLICANT            |                      |               |         | First Named Inventor   | Ronald A. Schmaltz  |
|                                   |                      |               |         | Art Unit               |   |
| (use as many sheets as necessary) |                      | Examiner Name |         |                        |   |
| Sheet                             | 3                    | of            | 3       | Attorney Docket Number | 1993-1-5  |

|                 |      |  | U.S. PATENT [    | OCUMENTS                         |  |
|-----------------|------|--|------------------|----------------------------------|--|
| Examiner        | Cite | Document Number                            | Publication Date | Name of Patentee or Applicant of | _  |
| Initials • No.1 |      | Number - Kind Code <sup>2</sup> (if known) | MM-DD-YYYY       | Cited Document                   | Pages, Columns, Lines, Where Relevan<br>Passages or Relevant<br>Figures Appear |
|                 |      |  |                  |                                  |  |
|                 | 25   | US- 6,024,257                              | 2-15-2000        | Djavit                           |  |
|                 | 26   | US- 6,361,016                              | 3-26-2002        | Schulz                           |  |
|                 | 27   | US- 3,807,453                              | 4-1974           | Dom et al                        |  |
|                 | 28   | US- 6,526,603                              | 3-2003           | Murphy, Kevin D.                 |  |
|                 | 29   | US- 6,012,181                              | 1-2000           | Johnson et al                    |  |
|                 | 30   | US- 4,172,580                              | 10-1979          | Raftis et al                     |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  | <del></del>      |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |
|                 |      |  |                  |                                  |  |

|           | FOREIGN PATENT DOCUMENTS |   |                                   |                              |  |                |
|-----------|--------------------------|---|-----------------------------------|------------------------------|--|----------------|
| Examiner  | Cite                     | Foreign Patent Document   |                                   | Name of Patentee or          | Pages, Columns, Lines,                             |                |
| Initials* | No.1                     | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) | Publication<br>Date<br>MM-DD-YYYY | Applicant of Cited  Document | Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|           |                          |   |                                   |                              |  |                |
|           | <u> </u>                 |   |                                   |                              |  |                |
|           |                          |   |                                   | <del></del>                  |  |                |
|           |                          |   |                                   |                              |  |                |
|           |                          |   |                                   |                              |  |                |
|           |                          |   |                                   |                              |  |                |
|           |                          |   |                                   |                              |  |                |
|           |                          |   |                                   |                              |  |                |

| Examiner<br>Signature | Date<br>Considered |   |
|-----------------------|--------------------|---|
|                       | Considered         | [ |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.